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09/680,107	10/04/2000	Glenn Reid	004860.P2476	8211

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EXAMINER

WANG, JIN CHENG

ART UNIT PAPER NUMBER

2672

DATE MAILED: 02/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/680,107

Applicant(s)

REID, GLENN

Examiner

Jin-Cheng Wang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities: On page 24, line 18, "a immediately" should be "immediately". On page 25, line 21, "though" should be "through". On page 36, line 14, "in as a series of" should be "in a series of". On page 38, lines 1-2 of claim 8, "D)" should be "C)" and "C)" should be "D)". Appropriate correction of all mistakes is required.
2. The applicant or their representatives are urged to review the specification and submit corrections for all mistakes of a grammatical, clerical, or typographical nature.

### *Claim Objections*

3. Claim 8 is objected to because of the following informalities: On page 38, lines 1-2 of claim 8, "D)" should be "C)" and "C)" should be "D)". Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

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5. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Gould et al. U.S. Pat. No. 6,501,476.

6. Claim 1:

The Gould reference teaches a method of manipulating a presentation of a time based stream of information in a processing system (see the abstract), the method comprising:

A) Adding an edit feature (i.e., transitions between clips or special effects. See column 9, lines 25-37 and figures 12-13) to the presentation to create a revised presentation in response to a user edit command (column 3, lines 21-65), and

B) Creating a proxy of the revised presentation and displaying the proxy during the adding (figure 14, column 9, lines 62-67, and column 10, lines 1-27).

Claim 2:

The claim 2 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of displaying units of the presentation in response to the user edit command and sending instructions for creating the proxy when a unit requiring modification is reached. However, the Gould reference further discloses the claimed limitation of displaying units of the presentation in response to the user edit command (figure 3) and sending instructions for creating the proxy when a unit requiring modification is reached (column 10, lines 14-27).

Claim 3:

The claim 3 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of creating proxy by drawing an imitation of the edit feature. However, the Gould reference further discloses the claimed limitation of creating proxy by drawing an imitation of the edit feature (figure 14).

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Claim 4:

The claim 4 encompasses the same scope of invention as that of claim 3 except additional claimed limitation of the edit feature being text and the imitation including simulated character, size and font. However, the Gould reference further discloses the claimed limitation of the edit feature being text (column 12, lines 35-65) and the imitation including simulated character, size and font (column 10, lines 5-27).

Claim 5:

The claim 5 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of a first software component having instructions for adding the edit feature and the first software component being separate from a second software component that has instructions for creating the proxy. However, the Gould reference further discloses the claimed limitation of a first software component having instructions for adding the edit feature and the first software component being separate from a second software component that has instructions for creating the proxy (column 3, lines 21-65).

Claim 6:

The claim 6 encompasses the same scope of invention as that of claim 5 except additional claimed limitation of the second software unit being a plug-in or ActiveX control. However, the Gould reference further discloses the claimed limitation of the second software unit being a plug-in or ActiveX control (column 3, lines 21-65).

Claim 7:

The claim 7 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of displaying of the proxy at a rate that is substantially less than the play rate

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of the time-based stream of information. However, the Gould reference further discloses the claimed limitation of displaying of the proxy at a rate that is substantially less than the play rate of the time-based stream of information (column 1, lines 24-34, and column 2, lines 7-14).

7. Claim 8:

The Gould reference teaches a digital processing system comprising:

- A) A capture port for acquiring a time-based stream of information (figure 1);
- B) A storage (figure 1);
- C) A display (figure 1); and
- D) A processor (figure 1) for:
  - i) Adding an edit feature (i.e., transitions between clips or special effects. See column 9, lines 25-37 and figures 12-13) to the presentation to create a revised presentation in response to a user edit command (column 3, lines 21-65), and
  - ii) Creating a proxy of the revised presentation and displaying the proxy during the adding (figure 14, column 9, lines 62-67, and column 10, lines 1-27).

Claims 9-14:

The claims 9-14 encompass the same scope of invention as that of claims 2-7. The claims are subject to the same reasoning as given in claims 2-7.

8. Claim 15:

The Gould reference teaches the processing system for generating a presentation of a time-based stream of information comprising:

- A) Means for adding an edit feature to the presentation to create a revised presentation in response to a user edit command (figures 1-3);

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B) Means for creating a proxy of the revised presentation during the adding (figures 14); and

C) Means for displaying the proxy during the adding (figure 14).

Claims 16-20:

The claims 16-20 encompass the same scope of invention as that of claims 2-4 and 6-7.

The claims are subject to the same reasoning as given in claims 2-4 and 6-7.

9. Claim 22:

The Gould reference teaches a computer readable medium (column 3, lines 1-65) having stored therein a plurality of sequences of executable instructions (column 3, lines 22-65), which when executed by a processing system (figure 1) for collecting a time based stream of information (abstract) and generating a presentation, cause the processor to:

A) Add an edit feature (i.e., transitions between clips or special effects. See column 9, lines 25-37 and figures 12-13) to the presentation to create a revised presentation in response to a user edit command (column 3, lines 21-65), and

B) Create a proxy of the revised presentation and displaying the proxy during the adding (figure 14, column 9, lines 62-67, and column 10, lines 1-27).

C) Display the proxy during the adding (figure 14).

Claims 22-26:

The claims 22-26 encompass the same scope of invention as that of claims 2-7. The claims are subject to the same reasoning as given in claims 2-7.

### *Conclusion*

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10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Gould et al. U.S. Pat. No. 6,469,723 discloses video special effects apparatus comprising a plurality of video special effects processing modules, a display screen and a palette area on the display screen.

b. Ubillos U.S. Pat. No. 5,999,173 discloses a method and apparatus in which video clips are stored as digital data in a computer memory, selected clips are displayed in elongated tracks on a display screen, and editing operations are performed on the clips in response to manipulation of displayed cursors and icons to assemble and preview an edited video program.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (703) 605-1213. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6606 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 395-3900.

jcw  
February 6, 2003



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A handwritten signature in black ink, consisting of a stylized 'M' followed by a long horizontal stroke that curves upwards at the end.

**MICHAEL RAZAVI**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**